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<b>TO:</b> Harry Horton	<b>FROM:</b> Barry L. Kelmachter
<b>FAX NO.:</b> 571-273-4617	<b>DATE:</b> August 5, 2006
<b>YOUR REF.:</b> Serial No. 10/687,228	<b>OUR REF.:</b> 02-200-2
<b>PAGES: 4</b> (including this sheet)	
<input type="checkbox"/> via Fax and Mail <input checked="" type="checkbox"/> via Fax only	

**\* Comments:**

Dear Mr. Horton:

As requested in your e-mail of August 4, 2006, attached please find the revised appendices to our Appeal Brief received by the USPTO on September 12, 2005 in connection with Serial No. 10/687,228.

Please let me know if you require anything further.

Best regards,  
Barry L. Kelmachter

Please acknowledge receipt of this letter by telephone or fax and advise us if any pages are not readily legible or have not been received.

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**Docket**

**From:** Horton, Harry [Harry.Horton@USPTO.GOV]  
**Sent:** Friday, August 04, 2006 12:39 PM  
**To:** docket@bachlap.com  
**Subject:** 10/687,228

**Importance:** High

I'm emailing from the Board of Patent Appeals and Interferences in regards to S.N. 10/687,228 Attorney Docket No. 02-200-2. The appendices submitted with your Appeal Brief received at the USPTO on 9/12/05 are not sufficient, with regards to 37 CFR § 41.37(c)(1)(ix) and 37 CFR § 41.37(c)(1)(x). They need to be reworded to state that they are the --Evidence Appendix-- and the --Related Proceedings Appendix--.

Can you please re-submit those two headings to me via facsimile at your earliest convenience? Just two plain sheets of paper with the above designated headings to attach to your Brief for the Official record to reflect that the Brief is in compliance with 37 CFR § 41.37.

You can fax them to my attention at:

(571) 273-4617.

Thank you

Harry Horton,  
Paralegal Specialist  
571 272-4617(Office)

Appl. No. 10/687,228  
Appeal Brief dated Sept. 9, 2005

Docket No.: 02-200-2

EVIDENCE - APPENDIX B

NOT APPLICABLE

Appl. No. 10/687,228  
Appeal Brief dated Sept. 9, 2005

Docket No.: 02-200-2

RELATED PROCEEDINGS - APPENDIX C